



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,630	03/01/2004	Robert Raszuk	CISC853	3104
26541	7550	03/31/2008		
Cindy S. Kaplan				
P.O. BOX 2448				
SARATOGA, CA 95070				
EXAMINER				
JEAN GILLES, JUDE				
ART UNIT		PAPER NUMBER		
2143				
MAIL DATE		DELIVERY MODE		
03/31/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/791,630

**Applicant(s)**

RASZUK, ROBERT

**Examiner**

JUDE J. JEAN GILLES

**Art Unit**

2143

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03/01/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date 03/01/2004.
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

This office action is responsive to communication filed on 03/01/2004.

#### ***Information Disclosure Statement***

1. The references listed on the Information Disclosure Statement submitted on 03/01/2004 have been considered by the examiner (see attached PTO-1449A).

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Sistanizadeh et al (hereinafter Sistanizadeh) U.S. Patent No. 6963575 B1.

#### **Regarding claims 1-29, Sistanizadeh teaches:**

1. A method of establishing a BGP mesh in a network (*fig. 7*), comprising:  
flooding BGP peering information from a network device to at least one other network device (*col. 23, lines 60-67, continue in lines 1-5 of col. 24, see also col. 25, lines 30-43*);

the at least one other network device receiving the BGP peering information (*col. 25, lines 30-43*); and analyzing the BGP peering information to identify at least one neighbor (*col. 25, lines 24-51; note that confirming that connection has been established between two BGP routers is a test in the process of identifying neighbors*).

2. The method of claim 1 further comprising performing a BGP session with the at least one neighbor to establish a BGP mesh (*col. 28, lines 6-13*).

3. The method of claim 1 wherein the network device is a router or route reflector (*fig. 7; also see col. 28, lines 6-13*).

4. The method of claim 1, wherein the BGP peering information is static information (*col. 8, lines 12-25; col. 23, lines 60-67*).

5. The method of claim 1, wherein the BGP peering information comprises a BGP identifier (*col. 25, lines 31-62*).

6. The method of claim 1, wherein the BGP peering information comprises a flooding protocol (see abstract).

7. The method of claim 6, wherein the flooding protocol is OSPF or ISIS (see abstract).

8. The method of claim 1, wherein the BGP peering information comprises a flooding scope (col. 23, lines 60-67, continue in lines 1-23 if column 24).

9. The method of claim 1, wherein the BGP peering information comprises an autosynchronous system (AS) number or confederation sub-AS number (fig. 7).

10. The method of claim 1, wherein the BGP peering information comprises a force new peering flag and a new peering address (col. 26, lines 9-20).

11. The method of claim 1, wherein the BGP peering information comprises an originator flag (col. 14, lines 4-26; col. 26, lines 9-20).

12. The method of claim 11, wherein the BGP peering information comprises an address family identifier (see fig. 7 and note AS - 1234).

13. The method of claim 1, wherein the BGP peering information comprises a route reflector flag ( see The route reflector (RR) 75).

14. The method of claim 13, wherein the BGP peering information comprises an address family identifier (see fig. 7 and note AS - 1234).

15. The method of claim 13, wherein the BGP peering information comprises a cluster identifier (see fig. 7 and note mAS – 65001-4).

16. The method of claim 1, wherein the BGP peering information comprises an old BGP identifier (col. 25, lines 31-62).

17. The method of claim 1, wherein the BGP mesh is an iBGP mesh (*col. 28, lines 6-13*).

18. A network system that establishes a BGP mesh in a network, comprising:  
a first network device flooding BGP peering information; and at least one other network device that receives the BGP peering information, analyze the BGP peering information to identify at least one neighbor, and perform a BGP session with the at least one neighbor to establish a BGP mesh (*fig. 7; col. 23, lines 60-67, continue in lines 1-5 of col. 24, see also col. 25, lines 24-51*).

19. A computer program product that establishes a BGP mesh in a network, comprising:

computer code that configures a processor to flood BGP peering information from a network device to at least one other network device; computer code that configures a

processor to receive the BGP peering information at the at least one other network device; computer code that configures a processor to analyze the BGP peering information to identify at least one neighbor; computer code that performs a BGP session with the at least one neighbor to establish a BGP mesh; and a computer readable medium that stores the computer codes mesh (*fig. 7; col. 23, lines 60-67, continue in lines 1-5 of col. 24, see also col. 25, lines 24-51*).

20. A network system that establishes a BGP mesh in a network, comprising:  
  
a means for flooding BGP peering information from a network device to at least one other network device; a means for receiving the BGP peering information at the at least one other network device; a means for analyzing the BGP peering information to identify at least one neighbor; and a means for performing a BGP session with the at least one neighbor to establish a BGP mesh (*fig. 7; col. 23, lines 60-67, continue in lines 1-5 of col. 24, see also col. 25, lines 24-51*).

21. A method of establishing a BGP mesh in a network, comprising:  
  
receiving BGP peering information from a network device; analyzing the BGP peering information to identify at least one neighbor; and performing a BGP session with the at least one neighbor to establish a BGP mesh (*fig. 7; col. 23, lines 60-67, continue in lines 1-5 of col. 24, see also col. 25, lines 24-51*).

22. The method of claim 21, further comprising flooding the BGP peering information to at least one other network device.

23. A network system that establishes a BGP mesh in a network, comprising: a first network device that receives BGP peering information, analyzes the BGP peering information to identify at least one neighbor, performs a BGP session with the at least one neighbor to establish a BGP mesh, and floods the BGP peering information; and as second network device that receives the BGP peering information from the first network device mesh (*fig. 7; col. 23, lines 60-67, continue in lines 1-5 of col. 24, see also col. 25, lines 24-51*).

24. A computer program product that establishes a BGP mesh in a network, comprising: computer code that receives BGP peering information ;  
  
computer code that analyzes the BGP peering information to identify at least one neighbor; computer code that performs a BGP session with the at least one neighbor to establish a BGP mesh; computer code that floods the BGP peering information; and  
  
a computer readable medium that stores the computer codes mesh (*fig. 7; col. 23, lines 60-67, continue in lines 1-5 of col. 24, see also col. 25, lines 24-51*).



25. A network system that establishes a BGP mesh in a network, comprising:  
a means for receiving BGP peering information; a means for analyzing the BGP peering information to identify at least one neighbor; a means for performing a BGP session with the at least one neighbor to establish a BGP mesh; and a means for flooding the BGP peering information mesh (*fig. 7; col. 23, lines 60-67, continue in lines 1-5 of col. 24, see also col. 25, lines 24-51*).

26. A method of establishing an iBGP mesh in a network, comprising:  
flooding iBGP peering information from a network device to at least one other network device; the at least one other network device receiving the iBGP peering information; analyzing the iBGP peering information to identify at least one neighbor; and performing an iBGP session with the at least one neighbor to establish an iBGP mesh (*fig. 7; col. 23, lines 60-67, continue in lines 1-5 of col. 24, see also col. 25, lines 24-51*).

27. A network system that establishes an iBGP mesh in a network, comprising:  
a first network device flooding iBGP peering information; and at least one other network device that receives the iBGP peering information, analyze the iBGP peering information to identify at least one neighbor, and perform an iBGP session with the at

Art Unit: 2143

least one neighbor to establish an iBGP mesh (*fig. 7; col. 23, lines 60-67, continue in lines 1-5 of col. 24, see also col. 25, lines 24-51*).

28. A computer program product that establishes an iBGP mesh in a network, comprising: computer code that configures a processor to flood iBGP peering information from a network device to at least one other network device;

computer code that configures a processor to receive the iBGP peering information at the at least one other network device; computer code that configures a processor to analyze the iBGP peering information to identify at least one neighbor;

computer code that performs an iBGP session with the at least one neighbor to establish an iBGP mesh; and a computer readable medium that stores the computer codes mesh (*fig. 7; col. 23, lines 60-67, continue in lines 1-5 of col. 24, see also col. 25, lines 24-51*).

29. A network system that establishes an iBGP mesh in a network, comprising: a means for flooding iBGP peering information from a network device to at least one other network device; a means for receiving the iBGP peering information at the at least one other network device; a means for analyzing the iBGP peering information to identify at least one neighbor; and a means for performing an iBGP session with the at least one neighbor to establish an iBGP mesh (*fig. 7; col. 23, lines 60-67, continue in lines 1-5 of col. 24, see also col. 25, lines 24-51*).

***Conclusion***

4. ***This action is made Non-Final.*** Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn, can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-3301.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-0800.

/Jude J Jean-Gilles/

Primary Examiner, Art Unit 2143

JJG

March 17, 2008